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NASA Procedural Requirements

COMPLIANCE IS MANDATORY**NPR 3713.4**Effective Date: June 01,
2012Expiration Date: June 01,
2017[Printable Format \(PDF\)](#)

Request Notification of Change

 (NASA Only)**Subject: Procedures for Discrimination Complaints Based on Sexual Orientation****Responsible Office: Office of Diversity and Equal Opportunity**[| TOC](#) | [Preface](#) | [Chapter1](#) | [Chapter2](#) | [AppendixA](#) | [AppendixB](#) | [AppendixC](#) | [AppendixD](#) |
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Chapter 1. Roles and Responsibilities

1.1 The Associate Administrator for Diversity and Equal Opportunity

1.1.1 It shall be the responsibility of the Associate Administrator for Diversity and Equal Opportunity (AA, ODEO) to process sexual orientation discrimination complaints at the formal stage in accordance with these procedures.

1.1.2 The AA, ODEO shall:

- a. Issue decisions on claims of sexual orientation discrimination consistent with these procedures, except that, for complaints arising within the Office of Inspector General, the authority delegated by this paragraph shall be retained in the Office of the Administrator.
- b. Review and issue decisions on requests for reconsideration, except that, for complaints arising within the Office of Inspector General, the authority delegated by this paragraph shall be retained in the Office of the Administrator.
- c. Develop and periodically review and update NASA policies, procedures, and other materials providing guidance on nondiscrimination based on sexual orientation.
- d. Advise NASA officials, in consultation and coordination with the Office of the General Counsel (OGC), regarding Executive Orders, regulations and guidelines, and NASA policies pertaining to sexual orientation discrimination, including, for example, the U.S. Office of Personnel Management's guidelines for implementing the policy of Executive Order 13087, Addressing Sexual Orientation Discrimination in Federal Civilian Employment: A Guide to Employee's Rights, and this NPR.¹

¹ This document is accessible at <http://www.opm.gov/er/address.pdf>

- e. Provide education and awareness opportunities and technical assistance to NASA managers, supervisors, employees, EEO Counselors, and vendors on NASA policies and procedures regarding nondiscrimination based on sexual orientation.
- f. Oversee the informal stage of the process set forth in this NPR to assure Agency-wide consistency of policy and practice in the NPR's implementation.

1.2 NASA Officials-in-Charge and Center Directors

1.2.1 It shall be the responsibility of NASA Officials-in-Charge and Center Directors to assist the AA, ODEO with ensuring compliance with NASA policies and procedures regarding discrimination complaints based on sexual orientation.

1.2.2 NASA Officials-in-Charge and Center Directors shall ensure appropriate dissemination of such NASA policies and procedures to all Center employees.

1.3 Center EO Directors

1.3.1 Center EO Directors shall process informal sexual orientation discrimination complaints under these procedures.

1.3.2 Center EO Directors shall assist the AA, ODEO in educating and advising managers, supervisors, employees, and EEO Counselors on applicable Executive Orders, regulations and guidelines, and NASA policies regarding sexual orientation discrimination, in conjunction with the OGC at NASA Headquarters and the Office of the Chief Counsel (OCC) at the NASA Centers.

1.4 Center Diversity Managers

1.4.1 Center Diversity Managers shall assist the AA, ODEO in educating and advising managers, supervisors, and employees on NASA policies and practices regarding sexual orientation nondiscrimination, for example, coordinating with the AA, ODEO on the development and implementation of "diversity dialogue" programs.

1.5 Managers and Supervisors

1.5.1 Pursuant to NASA policy, managers and supervisors shall strive to ensure that all personnel actions, policies and practices, and the work environment are free from illegal discrimination based on sexual orientation or on any non-merit factor.

1.5.2 Alleged responsible officials (AROs) shall have the same rights and opportunities to review documents, be made aware of allegations, and provide responses and evidence as are available under EEOC, Federal Sector EEO Regulations, and EEOC Management Directive 110.

1.6 EEO Counselors

1.6.1 EEO Counselors shall conduct counseling activities in the same manner as described in Federal Sector EEO Regulations, EEOC Management Directive 110, and applicable NASA policies and procedures.

1.6.2 EEO Counselors shall inform aggrieved persons that their entitlement to informal complaint processing in discrimination complaints based on sexual orientation derives from NASA policy and not from EEOC regulations, which govern the processing of discrimination complaints under Title VII of the Civil Rights Act and other related antidiscrimination statutes. (For a detailed discussion on the EEO Counselor's roles and responsibilities under this NPR, see Appendix C.)

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